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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/118,754 | 07/17/1998 | HIDEO NORO | B208-973 | 9346 |

26272 7590 05/05/2004

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330 MADISON AVENUE
NEW YORK, NY 10017

EXAMINER

YE, LIN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2612

DATE MAILED: 05/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/118,754

Applicant(s)

NORO ET AL.

Examiner

Lin Ye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-20,22-38 and 40-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-20,22-38 and 40-55 is/are allowed.
- 6) ☒ Claim(s) 56-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 56-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuno U.S. Patent 6,567,121.

Referring to claim 56, the Kuno reference discloses in Figures 1-2, 6-7 and 10-12, a camera control apparatus for controlling a video camera in accordance with a control command from a computer terminal (HTML viewer 1101 in Figure 12) via a network (internet), comprising: a control device (CPU of camera server 1, see Col. 3, lines 8-9) adapted to control the video camera (100, see Col. 3, lines 7-15) on the basis of a control command from the computer terminal (client, see Col. 3, lines 24-26); and an issuing device (interface 2, see Col. 3, lines 8-9) adapted to issue a control right (right of access for observing images with free angles) of the video camera which is required for said computer terminal to control the video camera, to the computer terminal (see Col. 3, lines 54-58), wherein said control device executes automatic control (the full view field image capturing, see Col. 4, lines 11-15) of the video camera, if the control right of the video camera is not

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issued (temporarily disabled) to the computer terminal by said issuing device for a predetermined period (e.g., the Kuno's system can be programmed for an automatically full view field image capturing at every hour during a period from 4:00am to 10:00pm. If the capture time has reached, the right of access is temporarily disabled. **This temporarily disabled period can be considered as "the predetermined period". Either the remote computer terminals try to request for accessing the video camera or not at this predetermined period, the control right of the camera is not issued (granted) inherently; and also this predetermine period is programmed for executing the automatically full view field image capturing.** See Col. 3, lines 63-67 and Col.4, lines 1-10. It also should be noted that the claim does not require **only if** the control right of the video camera is not issued to the computer terminal for a predetermined period, wherein said control device executes automatic control of the video camera. The Kuno's system always starts the automatic control of the video camera **regardless whether the control right of video camera is already issued or not issued).**

Referring to claim 57, the Kuno reference discloses wherein said control device executes automatic control of the video camera if a predetermined time period elapses (See Figure 3, step S1, Col. 3, lines 39- 42, Col. 4, lines 4-10 and Col.5, lines 6-10, the predetermined time period is for saving the camera angle information and sending message indicating that the capture time or limiting the access time has been reached to the client) after the control right of the video camera is released (clients queued for gaining the right of access).

Referring to claim 58, the Kuno reference discloses a video transmitting device adapted to transmit image signals obtained by the video camera (100, see col. 3, lines 45-48); wherein

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said control device executes automatic control of the video camera and said video transmitting device transmits the image signals of the controlled camera, if the control right of the video camera is not issued to the computer terminal (clients) by said issuing device for the predetermined period (images are sensed at automatic control are stored in the external storage device 6, clients which do not have the right of access to the controlled camera only observe the images transmitted from storage device, see Col. 4, lines 16-19 and Col. 5, lines 6-11).

Referring to claim 59, the Kuno reference discloses wherein said issuing device issues the control right of the video camera to one of a plurality of computer terminals (a plurality of clients, see Col. 3, lines 24-34) which makes a request to request to acquire the control right of the video camera which is required for said control device to control the video camera, and said control device executes automatic control of the video camera if the control right of the video camera is not issued to any of the plurality of computer terminals (when capture time has reached, the right of access is temporarily disabled) by said issuing device for the predetermined period (See Col. 3, lines 63-67 and Col. 4, lines 4-10).

Referring to claim 60, the Kuno reference discloses a memory (storage device 6 that stores the OS, and a program that implements the camera server, see Col. 3, lines 14-20) which stores a loci of an image pickup direction of the video camera in a memory (See Col. 16-19), wherein said control device executes automatic control of the video camera on the basis of the loci of the image pickup direction of the video camera, which is stored in said memory (6).

Referring to claim 61, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 60.

Referring to claim 62, the Kuno reference discloses wherein the image pickup direction is a central position within the controllable image pickup range of the video (full view field).

Referring to claim 63, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 56.

Referring to claim 64, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 57.

Referring to claim 65, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 58.

Referring to claim 66, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 59.

Referring to claim 67, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 60.

Referring to claim 68, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 61.

Referring to claim 63, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claim 62.

Referring to claim 70, the Kuno reference discloses all subject matter as discussed with respected to same comment as with claims 56 and 60.

Allowable Subject Matter

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3. Claims 1, 3-20, 22-38 and 40-55 allowed.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lin Ye** whose telephone number is **(703) 305-3250**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA., Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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Lin Ye
April 28, 2004


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600